

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v v Lester Jerome Williams**
Docket No. **275094**
L.C. No. **2001-401728-FH**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The application for delayed appeal is DISMISSED for lack of jurisdiction because the application was not filed within 12 months of the judgment of sentence as required by MCR 7.205(F)(3). Furthermore, the two exceptions in MCR 7.205(F)(4) have not been satisfied. In particular, the second exception has not been satisfied as the application was neither filed within 42 days of the order of appointment, nor within 42 days of the filing of the transcripts. This case is not a Halbert case as this case was a jury trial, not a plea. At this point defendant has two options. He can file a motion for relief from judgment in the trial court, or if he believes he can satisfy the requirements of MCR 6.428, he can file a motion in the trial court to restart the time period for filing a claim of appeal.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 5 2007

Date

Sandra Schultz Mengel
Chief Clerk